

~~CONFIDENTIAL~~THE SECRETARY OF STATE  
WASHINGTON

Dear Mr. Chairman:

Consultations between the Department of State and your subcommittee in recent weeks have demonstrated that there exists broad agreement on the seriousness of the situation in Central America and on the need for us to maintain a comprehensive security, political and economic strategy to address this situation. These consultations have focussed on four specific areas of concern to both of us. I would like to set out our views on these concerns and the nature of the programs and policies we have implemented, or will be implementing, in each of those areas.

You have raised the issue of prison conditions and your view that all prisons and detention centers in El Salvador should be subject to inspection by an independent international organization such as the International Committee of the Red Cross (ICRC). We share your concerns and have been working with the Government of El Salvador and the ICRC to achieve precisely this objective. Over the past year the number of ICRC visits to prisons has steadily increased and I am informed that President Magana has now ordered that the ICRC be given unrestricted access to all prisons and detention centers. This is a positive development which should go a long way toward meeting our shared concerns on this issue.

You have also expressed an interest in the status of political prisoners in El Salvador. There are approximately 800 prisoners in El Salvador who are being detained under Decree 507, the state of siege authority. While in prison these detainees have been generally well-treated, but they have not been formally charged with a crime. The prisoners incarcerated under this decree range from those accused vaguely of "support for the guerrillas" to those actually implicated in terrorist acts. President Magana has recognized the uneven effects of Decree 507 and has begun a review process with the intent of releasing those accused of less severe offenses. About 30 political prisoners have been released to date, with a larger number expected to be released in the near future.

The Honorable  
Clarence Long,  
House of Representatives.

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Perhaps more importantly, President Magana has also tasked his recently-formed Peace Commission with development of an amnesty law, one effect of which would be to bring about the release of the majority of the remaining political prisoners. This bill has been drafted, reviewed by the President and sent to the Constituent Assembly where a vote is expected in the near future.

We also share your desire to bring to justice those charged with the murders of American citizens. In the case of the American churchwomen, in particular, I have been disturbed by the slow pace of the judicial process. I have been assured by President Magana that the Government of El Salvador will take every possible measure to bring these men to trial. For our part, I have ordered an independent and high level review of all the evidence available to our government pertaining to this case. We will provide the Salvadoran judiciary with any evidence we may find that could be of use to them in prosecuting this case.

More fundamentally, Mr. Chairman, we have embarked on a program to begin a broader process of judicial reform in El Salvador. This effort was kicked off last week by the U.S. Attorney General on a special visit to El Salvador for that purpose. The objectives of this effort have been outlined to the Committee in a paper provided to you at the beginning of the reprogramming process.

I would like to outline our policy on elections and negotiations. As we have stated publicly on a number of occasions, we favor a negotiating process which would lead the way to free and fair elections in which candidates of all political philosophies can participate safely. The Government of El Salvador shares this objective and has designated a Peace Commission to work out the procedures necessary to obtain this result. We are interested in doing everything in our power to support this process. We believe it offers the best, probably the only, opportunity for peaceful reconciliation in El Salvador. To advance this objective, I will soon be designating a senior US official to act as a special envoy to the Salvadoran government, notably its Peace and Electoral Commissions, to assist the Salvadorans in their efforts to find a basis for dialogue with their opponents on the terms and conditions for free, fair and safe elections; it should be understood that participants in these discussions may raise any issue they wish, and that the US will not support negotiations over power-sharing.

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Finally, Mr. Chairman I would like to reiterate the observation I made to you and the Committee during testimony on our \$60 million reprogramming request. Without military assistance to provide security for the people of Salvador, there can be no progress in achieving social justice and improving human rights. The military effort is essential to provide the shield we need to succeed in our broader efforts. We do not seek a military solution. But we do seek enough military assistance to make possible a longer term and more meaningful peace in Central America.

We will resubmit the request for reprogramming the remaining \$30 million of our request at the proper time.

Sincerely yours,

George P. Shultz

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